



ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS

Lauren W. Kingry
Superintendent of Financial Institutions

Douglas A. Ducey
Governor

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SEP 02 2015

DEPT. OF FINANCIAL
INSTITUTIONS

August 10, 2015

Nicki A. Flores
3150 S. Eastview Ave.
Tucson, AZ 85730

RE: Complaint No. 3787 - **Nicki Flores**, Licensed Residential Appraiser, License No. 11104

Dear Ms. Flores,

As you know, the Department of Financial Institutions, Real Estate Appraisal Division received a complaint against you for the appraisal you performed on a single family residence located at 7925 E. 20th Place, Tucson, AZ with an effective date of value of February 23, 2015.

The above-captioned matter is before the Superintendent of the Department of Financial Institutions ("Superintendent") and the Real Estate Appraisal Division ("Division"). The matter has been reviewed; including the complaint, your response thereto, the appraisal, the supporting workfile, and the Investigative Review.

The investigation of the appraisal and workfile revealed that your appraisal development and reporting violate the following standards of the Uniform Standards of Professional Appraisal Practice, the 2014-2015 Edition:

**Record Keeping Rule, Standards Rule 1-1(a); Standards Rule 1-4(a);
Standards Rule 2-1(a)(b); Standards Rule 2-2(a)(viii).**

Pursuant to Arizona Administrative Code (A.A.C.) R4-46-301 and Substantive Policy Statement #1, the Division considers these violations to amount to a Level III Violation. In lieu of further proceedings, and pursuant to Arizona Revised Statutes (A.R.S.) §32-3632(B) and A.A.C. R4-46-301(C), the Division is willing to resolve this matter with a letter of due diligence, if you agree to remedy these violations through exercising greater due diligence in the future and if you complete a **thirty (30) hour Residential Sales Comparison and Income Approach course, with exam** and a subsequent audit reveals no further violations.

The education **may not** be used toward your continuing education requirements for renewal during your next licensing period. The required education **may be completed through distance education**. The education must be completed within three (3) months of

the date that appears at the top of this letter. Proof of attendance and successful examination results must be provided to the Division within three (3) weeks of completing the coursework.

One month after completing the course, you are to submit an appraisal log to the Division listing every Arizona appraisal completed *after* the required course. The log is to list the property address, appraisal type, effective date, and the date the appraisal was issued for each appraisal. A minimum of five (5) reports will be required for staff to select three reports for audit. You are to comply with the Uniform Standards of Professional Appraisal Practice and all Division statutes and rules in performing all appraisals. The Division may, at its discretion, seek separate disciplinary action against you for any violation of the applicable statutes and rules discovered in an audit of your appraisal reports under the terms of this letter. Given the mitigating factor of prior violations (Case 3553), the results of the audit of your appraisal reports will determine whether probation with mentorship will be required in addition to the aforementioned requirements. After the audit of your appraisal log, the Division may institute probation, including mentorship for an additional period of time and with additional requirements.

A letter of due diligence is a disciplinary action and is a matter of public record in your Division file and may be used in any future disciplinary proceedings. By signing below, you acknowledge that you have read and understand this letter of due diligence and have had the opportunity to discuss this letter with an attorney or has waived the opportunity to discuss this letter with an attorney.

You have the right to an informal settlement hearing. If you choose to request an informal settlement hearing, please contact me within 30 days from the date of this letter to arrange the hearing.

By signing this letter of due diligence, you are voluntarily relinquishing your right to an informal hearing, formal hearing, and judicial review in state or federal court with regard to the matter herein.

If any part of this letter of due diligence is later declared void or otherwise unenforceable, the remainder of the letter of due diligence in its entirety shall remain in force and effect.

If you fail to comply with the terms of this letter of due diligence, the Division may properly institute proceedings for noncompliance, which may result in suspension, revocation, or other disciplinary and/or remedial actions. By signing this letter of due diligence you are agreeing that any violation of this letter of due diligence is a violation of A.R.S. § 32-3631(A)(8), which is willfully disregarding or violating any of the provisions of the Division's statutes or the rules of the Division for the administration and enforcement of its statutes.

If you agree to accept this letter of due diligence, please execute this document by your signature below. Please return the original signed document to the Division at **2910 N. 44th St., Phoenix, Arizona 85018**, on or before **September 7, 2015**. In the event we have not received this signed document or your request for an informal settlement hearing by that date, the case will be moved to formal hearing.

Sincerely,



Debra Rudd, Manager
Real Estate Appraisal Division

ACKNOWLEDGED AND AGREED



Nicki A. Flores, Respondent

8-29-15
Date

Enclosure